

ARIZONA DEPARTMENT OF AGRICULTURE
DIRECTOR'S ADMINISTRATIVE ORDER

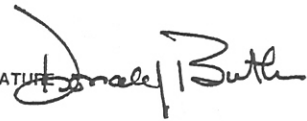
PLANT SERVICES DIVISION

REGULATED AND RESTRICTED NOXIOUS WEEDS

DIVISION/PROGRAM: PSD

DAO 05-02

SIGNATURE



EFFECTIVE DATE

3/4/05

1. **PURPOSE**

This Order updates the list of regulated pests in Arizona Administrative Code (A.A.C.) R3-4-244 to prevent the spread of buffelgrass, *Pennisetum ciliare* (L.) Link, commonly known as buffelgrass within the State of Arizona. Buffelgrass is a drought-tolerant, warm-season, perennial forage grass that is grown throughout many arid and semi-arid regions in the world. It out competes native shrubs and cacti for water and soil nutrients. Its most serious effect is to promote fires in native ecosystems that are not fire adapted. Buffelgrass provides fuel continuity where it never existed before. Populations of the plant are expanding in southern Arizona, and now form large, burnable stands in Organ Pipe National Monument, Saguaro National Park, Ironwood Forest and Sonoran Desert National Monuments.

2. **AUTHORITY**

A. R. S. § 3-201.01 Associate director; powers and duties

3. **RESPONSIBILITY**

The Associate Director, managers and supervisors shall ensure that all employees of the Plant Services Division understand and comply with this Order.

4. **APPLICABILITY**

This Order applies to any commodity listed in A. A. C. R3-4-244 Section (C) that is found in the state to be infested with buffelgrass.

5. **ORDER**

This Order updates the list of regulated pests in Section (A)(3) R3-4-244 by adding buffelgrass, thereby allowing the Department to quarantine any commodity, habitat, or area infested or contaminated with the pest. This Order becomes effective when the Director signs it, and will remain in effect until R3-4-244 is amended through the rulemaking process. The complete text is as follows.

R3-4-244 Regulated and Restricted Noxious Weeds.

A. Definitions. In addition to the definitions provided in A.R.S. § 3-201, the following terms apply to this Section:

1. "Habitat" means any aquatic area within Arizona, such as canals, drainage ditches, ponds, and lakes.
2. "Infested area" means each individual container in which a pest is found or the specific area

that harbors a pest.

3. "Regulated pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), found within the state may be controlled to prevent further infestation or contamination:

Cenchrus echinatus L. -- Southern sandbur,
Cenchrus incertus M.A. Curtis -- Field sandbur,
Convolvulus arvensis L. -- Field bindweed,
Eichhornia crassipes (Mart.) Solms -- Floating waterhyacinth,
Medicago polymorpha L. -- Burclover,
Pennisetum ciliare (L.) Link -- buffelgrass
Portulaca oleracea L. -- Common purslane,
Tribulus terrestris L. -- Puncturevine.

4. "Restricted pest" means any of the following plant species, including viable plant parts (stolons, rhizomes, cuttings and seed, except agricultural, vegetable and ornamental seed for planting purposes), found within the state shall be quarantined to prevent further infestation or contamination:

Acroptilon repens (L.) DC. -- Russian knapweed,
Aegilops cylindrica Host. -- Jointed goatgrass,
Alhagi pseudalhagi (Bieb.) Desv. -- Camelthorn,
Cardaria draba (L.) Desv. -- Globed-podded hoary cress (Whitetop),
Centaurea diffusa L. -- Diffuse knapweed,
Centaurea maculosa L. -- Spotted knapweed,
Centaurea solstitialis L. -- Yellow starthistle (St. Barnaby's thistle),
Cuscuta spp. -- Dodder,
Eichhornia crassipes (Mart.) Solms -- Floating waterhyacinth,
Elytrigia repens (L.) Nevski -- Quackgrass,
Euryops sunbcarnosus subsp. *vulgaris* -- Sweet resinbush,
Halogeton glomeratus (M. Bieb.) C.A. Mey -- Halogeton,
Helianthus ciliaris DC. -- Texas blueweed,
Ipomoea triloba L. -- Three-lobed morning glory,
Linaria genistifolia var. *dalmatica* -- Dalmation toadflax,
Onopordum acanthium L. -- Scotch thistle.

B. Area under quarantine: All infested areas within the state.

C. The following commodities are hosts or carriers of the regulated or restricted pest:

1. All plants other than those categorized as a regulated or restricted pest;
2. Forage, straw, and feed grains;
3. Live and dead flower arrangements;
4. Ornamental displays;
5. Aquariums; and
6. Any appliance, construction or dredging equipment, boat, boat trailer or related equipment, or any other vehicle with soil attached or carrying plant debris.

D. The Department may quarantine any commodity, habitat, or area infested or contaminated with a regulated pest and notify the owner or carrier of the restrictions and treatments listed in subsections (F) and (G). If the regulated pest is not quarantined, the Department shall provide the grower with technical information on effective weed control activities through integrated pest management.

- E. The Department shall quarantine any commodity, habitat, or area infested or contaminated with a restricted pest and shall notify the owner or carrier of the restrictions and treatments of the pest listed in subsections (F) and (G).
- F. Restrictions.
1. No regulated or restricted pest or commodity infested or contaminated with a regulated or restricted pest shall be moved to a non-infested area unless the Director issues a permit for the transporting or propagating of the pest.
 2. An owner or the owner's representative shall notify the Department at least two working days in advance of moving contaminated equipment from an infested area.
 3. The Department may inspect all equipment within two working days after a request to inspect the equipment is made if the equipment:
 - a. Has been moved into or through a non-infested area;
 - b. Has not been treated; or
 - c. Has been used to harvest an infested crop within the past 12 months.
- G. Treatments.
1. An owner or the owner's representative shall treat all soil and debris from equipment used in a quarantined area until it is free of the regulated or restricted pest before the equipment is moved. Removal or destruction of the restricted or regulated pest shall be accomplished through one of the following methods:
 - a. Autoclaving.
 - i. Dry heat. The commodity shall be heated for 15 minutes at 212° F.
 - ii. Steam heat. The commodity shall be heated for 15 minutes at 212° F;
 - b. Fumigating with ethylene oxide, chamber only: The commodity shall be fumigated with 1,500 mg/L for four hours in a chamber pre-heated to 115-125° F;
 - c. High-pressure water spray;
 - d. Crushing;
 - e. Incinerating; or
 - f. Burying in a sanitary landfill to a depth of six feet.
 2. An owner or the owner's representative shall treat an infested area or habitat, including the area within the crop, rangeland, roadside, or private property, with treatments based on an integrated pest management program appropriate to the commodity. The treatments shall take place under the direction of an inspector and shall include:
 - a. Reshipment from the state;
 - b. Manual removal;
 - c. Application of a herbicide;

- d. Biological control including insects, fungi, nematodes, or microbes; or
- e. Any other treatment approved by the Director.